REMARKS

Clams 1, 4, 5, 10-14, 17-23 and 25 are currently active.

The Examiner has requested further information regarding the FORE-Switch-MIB module. The FORE-Switch-MIB module is a document that defines Marconi's (formerly FORE Systems) proprietary MIBs. A MIB is a database schema used to define the format of data used to manage internet attached devices. The concept of a MIB is defined by the Internet Engineering Task Force (IETF). The IETF also defines standards MIBs which can be implemented by any networking company, and they also define the mechanism for implementing proprietary vendor specific MIBs. Since the MIB defines the format of data shared between the device being managed and the management workstation, vendor specific MIBs must be documented an shared with customers using a given vendors equipment. This is the purpose of the FORE-Switch-MIB module. It documents Marconi's proprietary MIBs so that management software (HPOpenView as an example) can import the MIB definitions and then manage the Marconi equipment using Marconi's proprietary database schemas. Without this, it would be impossible for an application, such as HPOpenView, to be able to interpret the data being shared between Marconi's equipment and the HPOpenView software.

Since Marconi is continually adding additional features and functionality to the products, the MIBs are always changing to support these new features. The changes are required to configured the new features and also providing the interfaces to support new traps/alerts.

The Examiner has rejected Claims 1, 4, 5, 10-14, 17, 18 and 22 as being unpatentable over Lin in view of FORE-Switch-MIB definitions paper. Applicants respectfully traverse this rejection.

First, applicants cannot find a publication date regarding Lin. The Examiner identifies on PTO Form 892 a date simply as 1999. Applicants request the Examiner at least provide the month and the year that Lin was published because applicants believe they can swear behind Lin and remove it as an effective reference.

Nevertheless, applicants respectfully submit that Lin in combination with the FORE-Switch-MIB definitions paper does not arrive at applicants' claimed invention.

Referring to Lin, applicants' Claim 1 specifically has the limitation of a topology data base having configuration information, the configuration information includes a name of the switch, an IP address of the switch, a software version of the switch, and

hardware type. In addition, applicants have the limitation in Claim 1 of a mechanism for sending the configuration information from the topology data base to the network and for receiving configuration information from the network and storing it in the topology data base. . . The switch agent looks up in the topology data base and returns requested information of an SMNP query from the network.

In contrast, Lin simply teaches there is a need for a tool for generating the network topology automatically. Moreover, Lin teaches a tool for tracing the path of a virtual connection is useful. See section one, end of paragraph 1 and end of paragraph 2. Thus, it is clear that Lin teaches a tool for tracing the path of a virtual connection. This in and of itself is distinct from maintaining a topology data base having configuration information as found in Claim 1.

Lin teaches that the ATM-MIB module contains definitions of ATM and AAL5 related objects for managing ATM interfaces, ATM virtual links, ATM switches and ATM networks. Lin teaches there is a table called the ATM interfaceconftable and the ATM module contains the ATM specific configuration information related to ATM interfaces. It must be stressed that all that Lin teaches is information related to ATM interfaces in the table. Lin teaches the value of an object in this table identifies the IP address of the neighbor network device connected to the far end of this interface. Furthermore, the port table and the port

group of the module contains information about the ports on the ATM switch. The value of the object in the port table identifies the IP address of the device connected to the port. The value of the object in the table indicates whether the current operational state of the port is up or down. Because the IP address of an ATM switch is known, Lin teaches the topology of the ATM network can be discovered, and again applicants stress Lin teaches that it can be discovered starting from the ATM switch. Lin teaches the neighboring devices of this ATM switch are discovered first and the processes continues switch by switch until all the devices in the network are discovered or a limit on the number of hops from the ATM switch is reached. Thus, it is clear, that Lin teaches a way to trace or track methodically step by step to find the devices of the network. This has nothing of all to do the topology data base having configuration information including the name of the switch, the IP address of the switch, software version of the switch and hardware type of the switch. Furthermore, this has nothing to do with being able to return requested information of an SNMP query from the network after the switch agent looks up in the topology data base the desired configuration information. It is clear that Claim 1 identifies a distinct invention that has nothing to do with a technique for methodically and automatically going from switch to switch to determine the topology of the network. In contrast, Claim 1 specifically is concerned with maintaining configuration information of a specific type, in a topology data base, and then providing for a mechanism for sending the information to the network and receiving configuration information from the network and storing it in the topology data base.

In regard to FORE-Switch-MIB definitions paper, a review of this document simply shows that there may be certain information, although, applicants cannot find specifically the configuration formation claimed in Claim 1 of a name of the switch, an IP address, a software version of the switch, and hardware type of the switch, taught in FORE-Switch-MIB definitions paper. Furthermore, nowhere does FORE-Switch-MIB definitions paper teach a topology data base with configuration information, nor any type of mechanism for sending configuration information from the topology database to the network and for receiving configuration information from the network.

As explained above, at best, all the combination of Lin and FORE-Switch-MIB definitions paper can do, is that Lin somehow or other uses the information in the FORE-Switch-MIB definitions paper to assist in finding in a step-by-step manner the switches of the network to methodically determine the topology of the network. However, even in this technique, the specific configuration information identified in Claim 1 is missing. The advantages of having this configuration information is set out in the background. Accordingly, Claim 1 is patentable over the applied art of record. Claims 4, 5, 10-14, 17, 18 and 22 are patentable for the reasons Claim 1 is patentable.

The Examiner has rejected Claims 18-21, 23 and 25 as being unpatentable over Lin in view of FORE-Switch-MIB definitions paper and Dacier. Applicants respectfully

traverse this rejection. Dacier adds nothing in relevant part of the teachings of Lin in regard to Claims 14 and 22. Claims 18-21, 23 and 25 are dependent to either Claims 14 or 22 and are patentable for the reasons Claims 14 and 22 are patentable.

In view of the foregoing amendments and remarks, it is respectfully requested that the outstanding rejections and objections to this application be reconsidered and withdrawn, and Claims 1, 4, 5, 10-14, 17-23 and 25, now in this application be allowed.

Respectfully submitted,

SIVARAMAKRISHNA KUDITIPUDI, ET AL.

By _____
Ansel M. Schwartz, Esquire
Reg. No. 30,587
One Sterling Plaza
201 N. Craig Street
Suite 304
Pittsburgh, PA 15213
(412) 621-9222

Attorney for Applicants

CERTIFICATE OF MAILING

I hereby certify that the correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on 4/15/04

Ansel M. Schwartz
Registration No. 30,587

4/15/04
Date